
SENATE CONCURRENT RESOLUTION

URGING CONTINENTAL PACIFIC, LLC, AND THE STATE HISTORIC PRESERVATION DIVISION TO, AMONG OTHER THINGS, PLACE AN IMMEDIATE STAY OF EVICTION TO ALLOW RESIDENTS OF KAHUKU VILLAGE TO REMAIN IN THEIR HOMES UNTIL AN ARCHAEOLOGICAL INVENTORY SURVEY CAN BE COMPLETED FOR THE ENTIRE PROJECT AND ENSURE THAT THE KAHUKU VILLAGE PROJECT ADHERES TO ALL REQUIREMENTS, INCLUDING REQUIREMENTS FOR THE TREATMENT OF BURIAL REMAINS AND FOR CONDOMINIUM PROPERTY REGIMES.

1 WHEREAS, in 1890, the Kahuku Sugar Plantation was founded
2 on the property owned by James Campbell; and
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4 WHEREAS, workers were imported from Asia and elsewhere and
5 housed onsite to keep up with the production demands of the
6 sugar mill; and
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8 WHEREAS, this is how the town of Kahuku began and was
9 populated; and
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11 WHEREAS, in 1971, the Kahuku Sugar Mill ceased operation
12 and the James Campbell Estate worked with the community to
13 buffer the negative impact of its closure by allowing tenants to
14 stay in Kahuku Village at a reduced rent; and
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16 WHEREAS, historically, plantation camps have been the
17 responsibility or "kuleana" of large landowners to provide
18 lifelong housing to their tenant workers and tenant workers'
19 families; and
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21 WHEREAS, large landowners have long recognized the value
22 and intrinsic connection between the success of the plantations
23 and the sacrifices made by their tenant workers; and
24

25 WHEREAS, today, Kahuku Village tenants include multi-
26 generational families who have deep personal connections and



1 experiences with the former Kahuku Sugar Plantation or Kahuku
2 Town; and
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4 WHEREAS, Kahuku Village V currently comprises about seventy
5 residential homes originally built for plantation workers on the
6 makai side of Kamehameha Highway on land formerly owned by the
7 James Campbell Estate; and
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9 WHEREAS, in 2006, Continental Pacific, LLC (Continental
10 Pacific), purchased Kahuku Village from the James Campbell
11 Estate with plans to convert Kahuku Village into a condominium
12 property regime, a process that will allow for the sale of
13 single-family residential lots to the Kahuku Village occupants;
14 and
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16 WHEREAS, additionally, necessary infrastructure
17 improvements are planned to be completed in and around the
18 Village, such as existing and new roadway improvements, new
19 water lines for fire protection, replacement of existing
20 cesspools with septic tanks, storm run-off remediation and
21 related drainage improvements; and
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23 WHEREAS, in January 2012, Continental Pacific began
24 construction at Kahuku Village by installing a road; and
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26 WHEREAS, during the construction, Continental Pacific
27 unearthed burials in an area outside of the planned construction
28 area that was designated by permit; and
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30 WHEREAS, the State Historic Preservation Division of the
31 Department of Land and Natural Resources never reviewed the
32 Kahuku Village project to determine whether an archaeological
33 inventory survey was necessary before Continental Pacific
34 started road, sewer, and water work; and
35

36 WHEREAS, the Department of Land and Natural Resources
37 reported that the City and County of Honolulu Department of
38 Planning and Permitting never notified the State Historic
39 Preservation Division when the Department of Planning and
40 Permitting issued permits, as required under city law; and
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42 WHEREAS, the issuing of permits would have triggered a
43 state review; and
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1 WHEREAS, as a result, an archaeological inventory survey
2 was never conducted prior to the start of construction; and
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4 WHEREAS, the State Historic Preservation Division has
5 indicated that an archaeological inventory survey must be
6 conducted for the project area; and
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8 WHEREAS, on March 4, 2013, burials were again unearthed
9 within the project area; and
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11 WHEREAS, Continental Pacific is currently working with
12 community members to formalize a burial treatment plan; and
13

14 WHEREAS, section 514B-83, Hawaii Revised Statutes, requires
15 a developer's public report to contain any facts, documents, or
16 information that would have a material impact on the use or
17 value of a unit or any appurtenant limited common elements or
18 amenities of the project available for an owner's use, or that
19 may be required by the Real Estate Commission; and
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21 WHEREAS, section 514B-83, Hawaii Revised Statutes, also
22 requires a developer to promptly amend the public report to
23 report any pertinent or material change or both in required
24 information; and
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26 WHEREAS, however, in February 2012, Continental Pacific
27 initiated the process of instituting a condominium property
28 regime that would allow for the sale of single-family
29 residential lots to the Kahuku Village occupants, many of whom
30 are descendants from the original Kahuku Plantation workers; and
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32 WHEREAS, to date, no single-family residential lots have
33 been sold to Kahuku Village occupants, and sixteen Kahuku
34 Village occupants have been sent eviction notices by Continental
35 Pacific while numerous other occupants have been forced to
36 relocate due to construction; now, therefore,
37

38 BE IT RESOLVED by the Senate of the Twenty-seventh
39 Legislature of the State of Hawaii, Regular Session of 2013, the
40 House of Representatives concurring, that Continental Pacific,
41 LLC, is urged to place an immediate stay of eviction to allow
42 residents of Kahuku Village to remain in their homes until an
43 archaeological inventory survey can be completed for the entire
44 project; and



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2 BE IT FURTHER RESOLVED that the State Historic Preservation
3 Division of the Department of Land and Natural Resources is
4 urged to work with Continental Pacific to:

- 5
6 (1) Develop and implement an archaeological inventory
7 survey for the entire Kahuku Village project;
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9 (2) Ensure that the burial remains unearthed during
10 construction that fell outside of the scope of the
11 permit are properly treated in accordance with state
12 law;
13
14 (3) Develop and implement an appropriate burial treatment
15 plan in an expeditious manner;
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17 (4) Ensure that within the scope of the permits granted to
18 Continental Pacific no further burial sites are
19 disturbed without an archaeological inventory survey;
20 and
21
22 (5) Consult with the Department of Planning and Permitting
23 of the City and County of Honolulu to ensure that the
24 project proceeds properly within the scope of the
25 permits granted to Continental Pacific; and
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27 BE IT FURTHER RESOLVED that Continental Pacific is
28 requested to consult with the Real Estate Commission to ensure
29 that the project adheres to the statutory requirements for
30 condominium property regimes; and
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32 BE IT FURTHER RESOLVED that the Real Estate Commission is
33 requested to submit a written report to the Legislature
34 regarding the Kahuku Village project with respect to Continental
35 Pacific's adherence to the statutory requirements for
36 condominium property regimes no later than twenty days prior to
37 the convening of the Regular Session of 2014; and
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39 BE IT FURTHER RESOLVED that the State Historic Preservation
40 Division is requested to submit a written report to the
41 Legislature regarding the Kahuku Village project with respect to
42 the development and implementation of a burial treatment plan
43 and archaeological inventory survey no later than twenty days
44 prior to the convening of the Regular Session of 2014; and



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2 BE IT FURTHER RESOLVED that certified copies of this
3 Concurrent Resolution be transmitted to the Chief Executive
4 Officer of Continental Pacific, LLC; Administrator of the State
5 Historic Preservation Division of the Department of Land and
6 Natural Resources; Chairperson of the Real Estate Commission;
7 and Director of the Department of Planning and Permitting of the
8 City and County of Honolulu.

